

CHAPTER 24

ALARM SYSTEM REGULATION

PURPOSE

This Chapter is intended to regulate the activities and responsibilities of those persons who purchase, lease, or rent and those persons who own or conduct the business of selling, leasing, renting, maintaining, or monitoring alarm systems, devices, or services. It is further intended to encourage the improvement in reliability of those systems, devices, and services and to insure that Police Department personnel will not be unduly diverted from responding to actual criminal activity as a result of responding to false alarms. This Chapter specifically encompasses "burglar/panic alarms" and "robbery" or "holdup" alarms, both audible and inaudible (silent). The provisions of this Chapter shall not apply to alarm systems owned by the City when said systems are utilized on premises owned or operated by the City except they must be permitted in the same manner as an alarm user. The provisions of this Chapter shall not apply to audible alarms affixed to automobiles.

24-1. DEFINITIONS.

Except where otherwise indicated by the context, the following definitions shall apply in the interpretations and enforcement of this Chapter:

Alarm Agent. Any person whether an employee, independent contractor, or otherwise, who acts on behalf of an alarm business and sells, leases, rents, maintains, repairs, installs or monitors alarm systems, other than alarm systems located on the person's own property or the property of the person's employer, and includes an employee of an alarm business or any other person who has access to secured information such as alarm codes or passwords of customers, but does not include a person who has access only to the alarm codes or passwords for alarm systems located on the person's own property or the person's employer's property.

Alarm Business. The business, by an individual, partnership, corporation or other entity, of selling, leasing, maintaining, monitoring, servicing, repairing, altering, moving or installing an alarm or alarm system in or on any building, structure or facility.

Alarm or Alarm System: Any electrical instrument(s) or other devices which as one of its purposes is used to protect buildings, premises or persons from criminal acts or unauthorized entries by warning persons of a crime or unauthorized entry through the emission or transmission of a sound or signal of any type. Premises includes any apartment, suite or model home(s).

Alarm User. Any person, firm, partnership, corporation or business who (which) leases, rents or purchases any monitored or proprietor alarm system, device of service

from an alarm business or who (which) leases or rents an audible alarm system or device.

Audible Alarm. A device designed for the detection of an unauthorized entry of premises and which when activated generates an audible sound on the premises.

Automatic Dialing Device: Any electrical, electronic, mechanical or other device capable of being programmed to send a prerecorded voice message, when activated or if self-activated, over a telephone line, radio or other communication system for the purpose of notifying or causing to be notified, public safety personnel.

Alarm Administrator: An employee designated by the governing authority to administer, control and review alarm applications, permits and alarm reports and false alarm reports.

Effective Date of Notice. The third day after correspondence is sent by certified mail, by the Chandler Police Department, to an alarm user's last-known address.

False Alarm. An alarm signal, eliciting a response by police when a situation requiring a response by police does not in fact exist, but does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user.

False Hold-up Alarm. Any signal which indicates a robbery or hold-up which is not the result of a hold-up or robbery.

False Panic Alarm. Any signal which does not indicate a duress situation which might result in physical harm to the alarm user.

Financially interested person. In respect to a license applicant or licensee, as applicable, all current officers, managers and directors, and each person who is a stockholder, member, general or limited partner, owner or who holds more than ten percent (10%) of the ownership, management rights control or claim to the profits of the business. Financially interested person does not include current officers, directors or shareholders of stock in any corporation which is traded on a national stock exchange.

Licensing authority. The Police Department who has the authority to issue licenses pursuant to this chapter.

Monitored Alarm. A device designed for the detection of an unauthorized entry in premises, and which, when activated generates an inaudible signal to a monitoring station. A monitored alarm may also generate an audible sound on the premises.

Primary alarm business license. A license issued by the licensing authority of a city or town that has adopted this reciprocal alarm licensing ordinance to an alarm business which has its headquarters, main office, corporate office or designated branch

of the alarm business located within the State of Arizona. In the event that an alarm business has its headquarters, main office, corporate office or designated branch in a city or town which does not require the licensing of alarm businesses, the alarm business may apply for a primary alarm business license from any city or town in Arizona which has adopted the reciprocal alarm licensing ordinance.

Proprietor Alarm. Any alarm or alarm system which is owned by the alarm user and is not monitored, leased or rented from, or owned or maintained, under contract by an alarm business.

Reciprocal alarm business license. A license issued by a licensing authority of a city or town that has adopted the reciprocal alarm licensing ordinance, and in which that alarm business conducts business. This license will only be issued to an alarm business that has a valid primary alarm business license from a similar licensing authority within the State of Arizona that has adopted the reciprocal alarm licensing ordinance.

Reciprocal alarm licensing ordinance. An ordinance which is substantially the same in its material terms to the one codified in this chapter and which is intended by the adopting jurisdiction to be recognized as being reciprocal with alarm licensing ordinances adopted by other cities and towns in the State of Arizona. Minor or non-material variations which are enacted in a particular city or town to accommodate local conditions or needs will not affect the reciprocal nature of the ordinance.

(Ord. No. 2196, § 1, 1-10-91; Ord. No. 2272, § I, 5-28-92)

24-2. CHANDLER POLICE DEPARTMENT RESPONSIBILITIES.

The provisions of this Chapter shall be administered in a manner prescribed by the Chief of Police. It will also be their duty to attempt to educate the citizens of Chandler of various means to deter false alarms through a False Alarm Prevention Program.

24-3. FALSE ALARM PREVENTION PROGRAM.

24-3.1. The Police Department shall provide an educational program for the prevention of false alarms. The Police Department shall allow an alarm user or proprietor alarm owner to attend any False Alarm Prevention Program for the purposes provided in this Chapter.

24-3.2. If the alarm user or proprietor alarm owner successfully completes the False Alarm Prevention Program, the Police Department shall issue the person a certificate. The certificate may be used in lieu of payment of one of the cost recovery fees imposed pursuant to Section 24-3.2 and must be submitted within one year of its issuance.

24-3.3. An alarm user or proprietor alarm owner who attends any False Alarm Prevention Program may attend additional False Alarm Prevention Programs, however,

is not eligible to receive another certificate within a 12 month period from the day on which the person received the initial certificate.

24-4. DUTIES AND RESPONSIBILITIES OF ALARM USERS.

24-4.1. Alarm User's Responsibilities.

The duties of an alarm user shall be as follows:

(a.) To instruct all personnel who are authorized to place the system or device into operation in the appropriate method of operation.

(b.) To inform personnel who are authorized to place the alarm system into operation of the provisions of this Chapter emphasizing the importance of avoiding false alarms. A current copy of the provisions of this Chapter shall be maintained on the premises and be made available to persons who are authorized to place an alarm system into operation.

(c.) Every alarm user shall notify the Chandler Police Department of any change of mailing address within ten (10) days of any such move.

(Ord. No. 2196, § 1, 1-10-91)

24-4.2. Proprietor Alarm User's Responsibilities.

The duties of the owner of a proprietor alarm system shall be as follows:

(a.) To be familiar with the provisions of this Chapter.

(b.) To maintain the alarm or alarm system in good working order and take reasonable measures to prevent the occurrence of false alarms.

(c.) To notify the Police Department of the name, address and telephone number of the primary person and at least one (3) alternate to be notified in case the alarm is activated.

(d.) To inactivate or cause to be inactivated the alarm system within ten (10) minutes of its activation.

(e.) To instruct all persons who are authorized to place the system or device into operation in the appropriate method of operation and to lock and secure all points of entry, such as doors and windows.

(f.) To inform all persons who are authorized to place the alarm system into operation of the provisions of this Chapter emphasizing the importance of avoiding false alarms. A current copy of this Chapter shall be maintained on the

premises and be made available to persons who are authorized to place an alarm system into operation.

(Ord. No. 2196, § 1, 1-10-91)

24-5. PERMIT REQUIREMENTS.

24.5.1. No person shall install, use or maintain an alarm system without first obtaining an alarm user's permit from the Chandler Police Department for each alarm system. A permit will be issued upon application for an alarm user's permit and payment of the fee established by council by resolution unless a previous alarm user's permit has been revoked for that alarm or applicant and the problem has not been corrected to the satisfaction of the Alarm Administrator. The permit shall be physically maintained within the premises using the alarm system and shall be available for inspection by the Chandler Police Department. Permits are not transferable from one user to another user, or from one address to another address. An alarm user permit shall be valid for a period of one (1) year and shall be renewed each year upon payment of the renewal fee established by council by resolution.

24.5.2. If the residential alarm user is over the age of sixty-five (65) and the alarm is located in the primary residence of the alarm user and if no business is conducted in the residence, upon the completion of an application, an alarm permit may be obtained from the alarm unit's office without the payment of a fee.

24.5.3. An administrative penalty as established by resolution of the Council, in additions to the permit fee, shall be assessed to an alarm user who fails to obtain a permit prior to connecting an alarm system.

24.5.4. An alarm user which is a governmental political unit-other than the City of Chandler, shall be subject to this Chapter and shall be required to obtain a permit, and shall be subject to revocation or payment of additional fees of the imposition of any penalty provided herein, or the removal of the alarm system.

24.5.5. The provisions of this Chapter shall not be applicable to audible alarms affixed to an automobile.

24.5.6. The City of Chandler shall be subject to this Chapter except permit fees, penalty assessments, revocations, and alarm removal.

(Ord. No. 2196, § 1, 1-10-91)

24-6. ALARM SYSTEMS IN APARTMENT COMPLEXES - CONTRACTED FOR BY INDIVIDUAL TENANT.

24-6.1. If an Alarm System installed by an individual tenant in an apartment complex unit is monitored, the tenant must provide

the name of a representative of the apartment owner or property manager on the alarm permit application as one of their responding parties. This name must also be given to the monitoring company.

24-6.2. A tenant of an apartment complex shall also obtain an alarm permit from the Alarm Administrator before operating or causing the operation of an alarm system in the tenant's residential unit. See 24-5 for permit and fee requirements.

24-6.3. For purposes of enforcing this article against an individual residential unit, the tenant is responsible for any false alarm emitted from the alarm system in the tenant's residential unit.

24-7. ALARM SYSTEMS IN APARTMENT COMPLEXES - FURNISHED BY THE APARTMENT COMPLEX AS AN AMENITY.

24-7.1. If the owner or property manager of an apartment complex provides alarm systems in each residential unit as an amenity, then the owner or property manager of the apartment complex shall obtain an alarm permit for each unit (whether occupied or not) from the Alarm Administrator. See 24-5 for permit and fee requirements.

24-7.2. For purposes of assessing fees and enforcing this Chapter, the complex alarm permit holder is responsible for payment of fines for false alarms emitted from the alarm system in each residential unit.

24-7.3. The owner or property manager of an apartment complex shall obtain a separate alarm permit for any alarm system operated in a nonresidential area of the apartment complex, including, but not limited to, common tenant areas and office, storage and equipment areas. See 24-5 for permit and fee requirements.

24-8. PROHIBITION OF AUTOMATIC DIALING DEVICES.

No person shall use or cause to be used any telephone device or telephone attachment that automatically selects a public primary telephone trunk line of the City of Chandler and then reproduces any prerecorded message or signal.

(Ord. No. 2196, § 1, 1-10-91)

24-9. POLICE REVIEW OF FALSE ALARMS.

24-9.1. Warning letters are generated after three (3) false alarms within a consecutive three hundred sixty five day (365) period. The Police Department shall send a warning letter to the alarm user or the proprietor alarm owner that one (1) subsequent false alarm within said period will subject the notified parties to the sanctions as outlined in this Chapter.

24-9.2. If the Chandler Police Department records four (4) or more false alarms within a permit year for any alarm system, the alarm administrator shall notify the alarm user by mail of such fact. The alarm administrator shall notify the alarm user, who shall, within ten (10) days of receipt of the notice of excessive false alarms, pay a cost recovery fee to the City of Chandler in the amount established by council resolution. The alarm user shall also submit a report to the alarm administrator describing the actions taken or to be taken to discover and eliminate the cause of the false alarms. The alarm user shall be required to pay a cost recovery fee in the amount established by council resolution for each subsequent false alarm. The alarm user shall also submit a report on each subsequent false alarm describing the actions taken or to be taken to discover and eliminate the cause of the false alarms.

24-9.3. If the Chandler Police Department records ten (10) or more false alarms within a permit year for any alarm system, the alarm administrator shall notify the alarm user and the alarm business providing service or inspection to that user by certified mail of such fact. The alarm user, within ten (10) days of the date of notice of excessive false alarms, shall pay a cost recovery fee to the City of Chandler in an amount established by council resolution. The alarm user shall also submit a report to the alarm administrator describing the actions taken or to be taken to discover and eliminate the cause of the false alarms. Additionally, the alarm system shall be subject to inspection at the discretion of the alarm administrator. The inspection shall be conducted in conjunction with the alarm user's alarm company. The alarm administrator shall provide twenty-four (24) hours' notice to the alarm company and the alarm user of such inspection. At the time of the inspection, all maintenance records pertaining to the alarm system shall be made available to the alarm administrator by both the alarm company and alarm user. The alarm user shall be required to pay a cost recovery fee in an amount established by council resolution for each subsequent false alarm. The alarm user shall also submit a written report on each subsequent false alarm describing the actions taken or to be taken to discover and eliminate the cause of the false alarms.

24-9.4. If any of the following conditions occur a certified letter will be sent to the alarm user and alarm business who monitors the system, advising them if they do not come into compliance, their alarm user permit will be revoked. This revocation will become effective 10 days after receipt of the letter unless an appeal is filed as provided hereinafter.

a.) If the alarm user fails to pay the cost recovery fees within the time provided,

b.) If no report is submitted as required,

c.) If the alarm administrator determines that the actions taken or to be taken by the alarm user will not prevent the reoccurrence of false alarms.

24-9.5. An alarm user whose permit has been revoked shall be furnished written notification by certified mail of such revocation. It shall be unlawful for any alarm user to fail to disconnect such system within three (3) days after written notification has been furnished advising the alarm user of the revocation of the alarm user permit, and such failure shall subject the alarm user to the penalties hereinafter provided.

24-9.6. Manner of Giving Notice:

(a.) Any notice provided for in this Chapter shall be sent to the permit holder at the address furnished on the application or such other address furnished by the permit holder or otherwise known to the city by virtue of more recent and reliable information. The notice may be personally delivered sent regular mail or sent by certified mail, postage prepaid.

(b.) Failure to mail notice to an alarm business shall not impair or invalidate any notice furnished to the alarm user.

24-9.7. An alarm user whose alarm user permit has been revoked may have it reinstated by paying all overdue assessments, submitting a corrective report, having the system reinspected and paying a reinstatement fee in an amount established by resolution by council.

24-9.8. The alarm administrator, after careful review of the conditions/reasons for the alarm activation, may determine the alarm report not be a valid false alarm report and therefore may waive the associated fee(s).

(Ord. No. 2196, § 1, 1-10-91; Ord. No. 2272, § III, 5-28-92)

24-10. GENERAL REGULATIONS.

24-10.1. Each alarm system shall be inspected and serviced by the permittee at least once in each eighteen-month period. Records shall be maintained by the permittees for each system showing dates of inspections and the name of the person making such inspection. Records shall be kept for a minimum of two (2) years and be open to the chief of police or his designee on his request upon twenty-four (24) hours' notice.

24-10.2. It shall be unlawful for any person to intentionally activate any hold-up or robbery alarm for any reason other than to warn of an actual robbery, or to intentionally

activate any burglar alarm for any reason other than to warn of an unauthorized entry into an alarm protected premise. This subsection shall not apply to the testing of alarm systems when the Police Department has been given advance notice of such testing.

24-10.3. No person or business who (which) purchases, leases or rents an audible alarm system, device or service which is not connected to a central receiving station (of an alarm business) shall allow the alarm to sound in excess of ten (10) minutes.

(Ord. No. 2196, § 1, 1-10-91)

24-11. REMOVAL OF UNLAWFUL EQUIPMENT.

In addition to any other remedy provided by law, the chief of police may order the removal of any device or attachment not operated or maintained in accordance with the provisions of this Chapter.

(Ord. No. 2196, § 1, 1-10-91)

24-12. UNLAWFUL ACTS AND PENALTIES.

24-12.1. In addition to the unlawful acts hereinabove specified, it shall be unlawful for any alarm user to install an alarm system for use within the City of Chandler without first obtaining a permit as required by this Chapter. It shall be unlawful for any alarm user to fail to disconnect an alarm system after the revocation of an alarm user's permit in accordance with the terms and provisions of this Chapter.

24-12.2. Any person convicted of a violation of this Chapter shall be subject to a fine in a sum not to exceed twenty-five hundred dollars (\$2500.00) and to imprisonment not to exceed one hundred eighty (180) days.

(Ord. No. 2196, § 1, 1-10-91)

24-13. APPEAL PROCEDURES.

24-13.1. The decision of the chief of police/designee shall be final unless the aggrieved party files an appeal to the city manager/designee. The appeal must be in writing and filed with the City Clerk within ten (10) days of the date of the mailing of the notice of decision.

24-13.2. The request for an appeal shall set forth the specific objections to the decision of the chief of police/designee which form the basis of the appeal.

24-13.3. The appeal hearing shall be conducted in accordance with the procedures set forth in Chapter 1 of this Code. The decision of the city manager/designee shall be final.

(Ord. No. 2196, § 1, 1-10-91)

24-14. ALARM BUSINESS AND ALARM AGENT LICENSING RECIPROCAL REQUIREMENTS.

PURPOSE

The individuals and businesses who engage in the installation, maintenance, operation and monitoring of alarm systems frequently do business in multiple jurisdictions, many of which are adjoining or in close proximity to one another. This often results in the need for multiple licenses and the licensing standards from jurisdiction to jurisdiction are often inconsistent.

The purpose of this Chapter is to establish a system of reciprocal licensing for alarm businesses and agents, and to standardize and facilitate the administration of alarm business and alarm agent licensing in the jurisdictions that adopt it. The Chapter is for both regulatory and cost recovery purposes. The Chapter is not intended, nor shall it be construed to limit the ability of jurisdictions adopting it from adopting their own technical standards applying to alarm systems, or adopting their own systems of service charges for false alarms, or establishing alarm response priorities.

24-15. LICENSE REQUIRED; ADMINISTRATION; DURATION; DUPLICATE LICENSE.

24-15.1. It shall be unlawful for any person to operate or engage in an alarm business, or to engage in the occupation of alarm agent without first having obtained such licenses as are required by this Chapter. A separate license is required for each business name under which an alarm business conducts business or advertises.

24-15.2. The administration of this Chapter, including the duty of prescribing forms, is vested in the licensing authority. License applications made pursuant to this Chapter shall be submitted to the licensing authority, who shall have the authority to issue, deny, or revoke, a license in accordance with the provisions of this Chapter.

24-15.3. The license required by this Chapter shall be in addition to any other licenses or permits required in order to engage in business by either the city, the county or state. Persons engaging in activities described in this Chapter shall comply with all other ordinances and laws, including the city zoning laws, as may be required to be engaged in business to be licensed. Failure of any applicant or licensee, as applicable, to meet the requirements of this paragraph shall be grounds for denial or revocation of a license.

24-15.4. All licenses issued pursuant to this Chapter shall be for a period of one (1) calendar year from the date of issue and shall be renewable annually, one (1) year from

the original date of issue or renewal, as applicable, subject to renewal pursuant to section XX of this Chapter.

24-15.5. Upon written request and the payment, the licensing authority shall issue a duplicate license to a licensee whose license has been lost, stolen or destroyed.

24-16. TYPES OF LICENSES; RECIPROCITY.

24-16.1. The types of licenses which may be issued pursuant to this Chapter are:

(a.) *Primary alarm business license.* A primary alarm business license may be applied for by an alarm business that is physically located: (i) within the City of Chandler, or (ii) in a jurisdiction that has not adopted this reciprocal ordinance, or (iii) located out of State. A separate alarm business license is required for each business name under which an alarm business conducts business or advertises.

(b.) *Reciprocal alarm business license.* An alarm business physically located within the State of Arizona, or outside the State of Arizona, which has a valid primary alarm business license issued by a jurisdiction that has adopted the reciprocal alarm license shall be entitled to the issuance of a reciprocal alarm business license upon compliance with the terms and conditions of this Chapter.

(c.) *Alarm agent license.* Persons desiring to engage in the business or occupation of alarm agent shall apply for and receive an alarm agent license from the jurisdiction which issues the primary alarm business license for the alarm business for which the alarm agent is or will be working. A person holding a valid alarm agent license, who desires to work for an alarm business holding a reciprocal alarm licensing ordinance, does not have to obtain a separate license, but shall provide a copy of his or her license, upon request, to the jurisdiction in which the reciprocal license has been issued.

24-17. ALARM BUSINESS LICENSE APPLICATIONS; CONTENTS.

24-17.1. All applications for license made pursuant to this Chapter shall include the following:

(a.) The name, business address, mailing address and telephone number of the alarm business. If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation, or its charter, together with the state and date of incorporation and the names, residence addresses and dates of birth of each financially interested person. If one or more of the partners is a corporation, the provisions of this subsection relating to information required of a corporation shall apply.

(b.) In the event that the applicant is a corporation, partnership or limited partnership, the applicant shall designate one of its officers or general partners to act as its responsible managing officer. Such designated person shall complete and sign all application forms required of an individual applicant under this Chapter.

(c.) The name of the applicant, any alias or other name used or by which the applicant has been previously known, his or her current residence and business addresses, telephone numbers, including facsimile numbers, and e-mail addresses, if applicable.

(d.) The names and addresses of the alarm agents employed by the alarm business.

(e.) The applicant's residence and business address for the five-year period immediately preceding the date of filing of the application and the inclusive dates of each such address.

(f.) Proof that the applicant is at least eighteen years of age, as indicated on a current driver's license with picture, or other picture identification document issued by a governmental agency or other proof satisfactory to the licensing authority.

(g.) Height, weight, color of eyes and hair and date of birth of the applicant.

(h.) Two current 2" by 2" photographs of the applicant.

(i.) The applicant's employment history for the five-year period immediately preceding the date of the filing of the application.

(j.) Information as to whether the applicant, or the business on behalf of which the license is being applied for, has ever been refused or denied any similar license or permit, or has had any similar permit or license revoked, canceled or suspended, and the reason or reasons for the revocation, cancellation or suspension.

(k.) Whether or not the applicant has ever been convicted of a crime, regardless of whether the conviction was later set aside or expunged, in any domestic, foreign or military court. "Crime" means any and all felonies, misdemeanors and serious driving offenses (e.g. driving under the influence of intoxicating liquor or drugs, reckless driving, driving on a suspended, revoked, canceled or refused driver's license, or any driving offense for which the possible penalty includes jail time). Applicant as used in this subsection includes, as applicable, all of the business entities and individuals indicated in subsection (a)(1), above. "Crime" does not include minor (civil) traffic offenses.

“Convicted” means having plead guilty or nolo contendere (“no contest”) to a crime and/or have been sentenced for a crime, whether incarcerated, placed on probation, fined or having received a suspended sentence. An applicant shall also answer “yes” to this question, even though he or she has not been convicted of a crime, if the applicant is presently pending trial or other court proceeding for a crime.

(l.) For initial and renewal applications for primary alarm business licenses only, one (1) full set of fingerprints on fingerprint cards, or fingerprint data, as provided in section XX of this Chapter. Fingerprints or fingerprint data must be submitted on fingerprint cards provided or approved by the licensing jurisdiction, but may be taken by any law enforcement or other government agency.

(m.) Copies of the State of Arizona Registrar of Contractor’s C-12 License and/or L-67 License, or both, as applicable, issued to the alarm business applicant, as applicable, and copy of State of Arizona Transaction Privilege Tax License.

(n.) A list of all municipalities, counties, cities or towns where the applicant conducts business.

(o.) An express agreement by the alarm business that the dispatch any and all records of the alarm business, whether written or recorded, electronically or otherwise, or in any other form, relating solely to information required to be supplied to the Police Department in case of an alarm, shall be immediately made available at any time upon request for inspection by agents of the Police Department.

(p.) A copy of a valid primary alarm business license if the application is made for an original or renewal reciprocal alarm business license.

(q.) Such other information, evidence, statements or documents as may be deemed by the licensing authority to be reasonably necessary to process and evaluate the application or renewal.

24-17.2. Applicants for primary or reciprocal alarm business licenses, or applications for renewal of any such licenses, shall notify the licensing authority, in writing, of any change in the information contained in the license application or renewal application. Notification shall be given to the licensing authority within fifteen (15) calendar days of the occurrence of the change.

24-18. ALARM AGENT LICENSE APPLICATIONS.

24-18.1. An alarm agent license application and an alarm agent license renewal application shall include the following information about the applicant:

(a.) The name of the applicant and any alias or other name, used or by which the applicant has been previously known, his or her current residence and business addresses, telephone numbers , including facsimile numbers, and e-mail addresses, if applicable.

(b.) The name, business address and business telephone number of the alarm business where the applicant is or will be employed.

(c.) Proof that the applicant is at least eighteen years of age, as indicated on a current driver's license with picture, or other picture identification document issued by a governmental agency or other proof satisfactory to the licensing authority.

(d.) Height, weight, color of eyes and hair and date of birth of the applicant.

(e.) Two current 2" by 2" photographs of the applicant.

(f.) The applicant's employment history for the five-year period immediately preceding the date of the filing of the application.

(g.) Information as to whether the applicant has ever been refused, refused or denied any similar license or permit, or has had any similar permit or license revoked, canceled or suspended, and the reason or reasons for the revocation, cancellation or suspension.

(h.) Whether or not the applicant has ever been convicted of a crime, regardless of whether the conviction was later set aside or expunged, in any domestic, foreign or military court. "Crime" means any and all felonies, misdemeanors and serious driving offenses (e.g. driving while/under the influence of intoxicating liquor or drugs, reckless driving, driving on a suspended, revoked, canceled or refused driver's license, or any driving offense for which the possible penalty includes jail time) . Applicant as used in this subsection includes, as applicable, all of the business entities and individuals indicated in subsection XX- above. "Crime" does not include minor (civil) traffic offenses. "Convicted" means having plead guilty or nolo contendere ("no contest") to a crime and/or have been sentenced for a crime, whether incarcerated, placed on probation, fined or having received a suspended sentence. An applicant shall also answer "yes" to this question, even though he or she has not been convicted of a crime, if the applicant is presently pending trial or other court proceeding for a crime.

(i.) One (1) full set of fingerprints on fingerprint cards, or fingerprint data, as provided in section XX, below. Fingerprints or fingerprint data must be submitted on fingerprint cards provided or approved by the licensing jurisdiction, but may be taken by any law enforcement or authorized government agency.

(j.) The applicant's business, occupation or employment history for the five-year period immediately preceding the date of filing the application.

(k.) A list of all municipalities, counties, cities or towns where the applicant conducts business.

(l.) Such other information, evidence, statements or documents as may be deemed by the licensing authority to be reasonably necessary to process and evaluate the application or renewal.

24-18.2. Applicants for alarm agent licenses, or applications for renewal of such licenses, shall notify the licensing authority, in writing, of any change in the information contained in the license application or renewal application. Notification shall be given to the licensing authority within fifteen (15) calendar days of the occurrence of the change.

24-19. BACKGROUND INVESTIGATION; FINGERPRINTS.

24-19.1. As a condition of the issuance of licenses pursuant to this article, the licensing authority shall require each applicant to furnish one (1) full set of fingerprints, or fingerprint data, to enable the licensing authority to conduct a criminal background investigation to determine the suitability of the applicant.

24-19.2. The applicant shall bear the cost of conducting the applicant's criminal background investigation. The cost shall not exceed the actual cost of obtaining the applicant's criminal history information. Applicant criminal history records checks shall be conducted pursuant to Section 41-1750, Arizona Revised Statutes, and Public Law 92-544, as amended. The licensing authority shall submit or electronically transmit all completed applicant fingerprint cards to the Department of Public Safety to conduct a statewide criminal history check and is authorized to exchange the submitted applicant fingerprint card information with the Federal Bureau of Investigation to allow a national criminal history records check to be conducted.

24-20. FEES.

24-20.1. The fees, which shall be non-refundable, non-transferable and will not be prorated, shall accompany initial applications and renewals. Payment of the fees are established by council by resolution.

24-20.2. In addition to the current license fees due, all applicants for licenses under this Chapter who have operated as an alarm business or alarm agent within this

jurisdiction in violation of this Chapter shall pay such additional fees as would have been paid if the applicant had previously complied with its requirements. Fees shall be subject to accrual from the effective date of the Chapter/article and may be collected from the applicant for a period of not more than four (4) years.

24-21. DISPLAY OF LICENSE.

24-21.1. Alarm business licenses shall state whether they are primary alarm business licenses or reciprocal alarm business licenses. The primary alarm business license or reciprocal alarm business license, as applicable, shall be at all times conspicuously displayed at the alarm business's central station or office.

24-21.2. Alarm agent licenses shall be carried on the person of an alarm agent at all times while so employed and the alarm agent shall display the license to any police officer, or authorized representative of Chandler, upon request.

24-22. RENEWAL OF LICENSE.

24-22.1. The holder of a primary alarm business license, reciprocal alarm business license or alarm agent license, desiring to renew a license shall do so annually by submitting a renewal application, containing the information listed in section XX, above, and paying the required renewal fee and the costs for criminal history information. In addition to these requirements, the holder of a reciprocal alarm business license, as a condition of renewal, shall also submit a copy of the approved primary alarm business license upon which reciprocity is based.

24-22.2. Applications for license renewal shall be filed with the licensing authority not later than ninety (90) days prior to the expiration of the license currently in effect. In the event that a license renewal application is not timely submitted, the license will not be renewed until a complete criminal history background check has been completed. Applications for license renewal shall not be accepted after the expiration date of the license. In the event that a license expires without the licensee having submitted a timely application for renewal, the holder of the expired license must file a new application for initial license and shall comply with all of the requirements provided herein for obtaining an initial license.

24-23 ISSUANCE; GROUNDS FOR DENIAL.

24-23.1. The licensing authority shall have ninety (90) days from the date of the completion of all application materials and requirements to either issue or deny any license subject to this article. The issuance of any license shall in no way be construed as a waiver of any right of denial or revocation the city may have at the time of issuance.

24-23.2. The licensing authority will issue a license provided for by this Chapter to an applicant, or renew a license, if applicable, when the following conditions of the applicable licensing provisions have been fully satisfied:

- (a.) All application requirements have been met, including any police background checks and fingerprint requirements.
- (b.) All license fees have been paid in full.
- (c.) No grounds for denial listed in this section exist.

24.23.3. The following are grounds for denying a license or denying the renewal of a license, if the licensing authority, at the time of the filing of an original application or a request for renewal, has reasonable grounds to believe that an applicant, licensee, or person who is financially interested in a license:

- (a.) has been previously convicted, in any jurisdiction, of a felony; or a misdemeanor involving fraud, theft, dishonesty, moral turpitude, physical violence, assault, indecent exposure, illegal use or possession of a deadly weapon, or a violation of Arizona Revised Statutes Title 13, Chapter 34 (drug offenses, including but not limited to those relating to possession, sale or other conduct involving marijuana, narcotic drugs, precursor chemicals and prescription drugs), or offenses committed in another jurisdiction, which if committed in Arizona would be in violation of A.R.S. Title 13, Chapter 34; , or similar statutory provision; within the five-year period immediately preceding the filing of an original application or a request for renewal, whether or not the conviction or convictions have been expunged from court records pursuant to law.
- (b.) has prepared or filed an application or request for renewal which contains any false or misleading information, submitted false or misleading information in support of such application or request, or failed or refused to make full disclosure of all information required by this Chapter.
- (c.) has had a license relating to alarm businesses or agents, as applicable, or a license of similar character, issued by the city or another authority, suspended, canceled or revoked within the five-year period immediately preceding the date of the filing of the application.
- (d.) is not a United States citizen or lawful permanent resident alien or an alien who is authorized to work by the United States Department of Justice Immigration and Naturalization Service.
- (e.) has violated a provision of this Chapter, or who has committed any act which, if committed by a licensee, would be grounds for the denial or revocation of a license pursuant to this article.

24-23.4. Notice shall be given of any denial of a license application, or a request for renewal, in writing, and either by hand-delivery or by mail, to the address of record. The notice shall include the reasons for denial of the license or license renewal. An aggrieved applicant may appeal the denial as provided in section XX-, below.

24-24. REVOCATION; GROUNDS.

24-24.1. The city/town may suspend or licensing authority may revoke any primary or reciprocal alarm business or alarm agent license, when the licensing authority has reasonable grounds to believe that:

(a.) The licensee, or any financially interested person, has violated any of the grounds for denial of a license, as described in section XX, above.

(b.) The licensee, or any financially interested person has failed to comply with the requirements of this Chapter, including failure to provide changes in license information, as required by sections XX and XX, above.

(c.) Failure of the licensee to comply with the requirements of this article relating to alarm business or alarm agent responsibilities, false alarms, or assessments and all others within the code.

(d.) Failure to maintain in good standing all licenses or permits which are required pursuant to this Chapter to hold a primary or reciprocal alarm business license, or alarm agent license, as applicable.

24-25. REVOCATION PROCEDURE; HEARING.

24-25.1. The licensing authority shall give notice of its intent to suspend or revoke a license. Notice shall be given in writing, either by hand-delivery or by mail, to the address of record. The notice shall include the reasons for the suspension or revocation and shall establish a time and place at which the licensee must show cause why the license should not be revoked.

24-25.2. At the hearing to show cause why the license should not be suspended or revoked, the licensing authority shall give the grounds for the action and shall provide evidence in support of the grounds. The licensee may offer evidence in opposition to the action. The hearing shall be conducted by the licensing authority and shall be informal. The licensee may be represented by counsel at the hearing. The hearing shall be tape recorded and maintained by the licensing authority for such time as required by law.

24-25.3. The licensing authority shall rule on the issue of revocation at the time of the hearing, if possible, but no later than five (5) working days from the time of the hearing.

Notice of the decision of the licensing authority shall be given to the licensee and it shall be effective at the time it is made.

24-25.4. The licensing authority shall transmit notice of the action, by facsimile, to all municipalities, counties, cities, and towns listed on the licensee's application. The revocation of a primary alarm license shall result in the same action being taken as to all reciprocal alarm business licenses which are derived from that primary alarm business license.

24-26. REVIEW AND APPEALS.

Any person aggrieved by any decision with respect to either the denial of an application for a license, or license renewal, or refusal to issue a license, or the revocation of a license which is subject to this Chapter, shall be entitled to the review and appeal procedures as may be provided by the laws and ordinances of the city/town.

24-27. APPLICATION AFTER DENIAL OR REVOCATION OF LICENSE.

No person, association, firm or corporation may apply for any license required under this Chapter within one (1) year from the denial of any such license to such applicant, or from the nonrenewable or revocation of any such license, unless the cause of such denial, revocation or nonrenewable has been, to the satisfaction of the licensing authority, removed within such time. This section shall be inapplicable to denials of applications or renewal when the reason for denial was for an administrative, technical or otherwise non-material reason.

24-28. TERMINATION/CANCELLATION OF LICENSE; NOTICE.

24-28.1. An alarm agent who terminates employment with an alarm business shall immediately surrender his or her alarm agent license to the licensing authority.

24-28.2. An alarm agent who terminates his employment with an alarm business to change employment to another alarm business licensee shall notify the licensing authority of the transfer, in writing, within fifteen (15) calendar days of the change in employment.

24-28.3. An alarm business may cancel an alarm business license by filing a notice of cancellation of the license with the licensing authority. The notice of cancellation shall include the effective date of the cancellation. In the event of the cancellation of a primary alarm business license, notice shall be given to all jurisdictions in which reciprocal alarm business licenses have been issued and are active. Reciprocal alarm business licenses shall be canceled as of the effective date of the cancellation of the primary alarm business license, unless requested to be sooner canceled by the licensee.

24-29. EFFECTIVE DATE; APPLICABILITY OF REGULATIONS TO EXISTING BUSINESSES.

24-29.1. The effective date of this Chapter shall be February 1, 2000.

24-29.2. The provisions of this Chapter shall apply to all activities regulated by this Chapter of such persons and businesses described herein, whether such activities were commenced before, on or after the effective date of this Chapter. Any person, association, firm or corporation licensed under the provisions of previously existing regulations and ordinances shall upon expiration of an existing license be eligible required to renew such in accordance with the provisions of this Chapter.

24-30. UNLAWFUL ACTS; PENALTY.

24-30.1. It shall be unlawful for any person to:

(a.) Engage in, conduct, or carry on an alarm business without a valid alarm business license issued in accordance with the provisions of this Chapter.

(b.) Engage in the work of, represent himself to be, or operate as an alarm agent without a valid alarm agent license issued in accordance with the provisions of this Chapter.

24-30.2. A violation of this subsection, except as expressly provided in subsection (c), below, shall constitute a class 1 misdemeanor and shall be punishable by a term of probation and/or a sentence of imprisonment for a period of not more than six (6) months, to be served other than a place within the custody of the state department of corrections, and/or a fine of not more than two thousand five hundred dollars. A sentence to pay a fine, imposed on an enterprise, shall be fixed by the court in an amount not to exceed twenty thousand dollars. Each day any violation of any provisions of this Chapter shall continue shall constitute a separate offense.

24-30.3. In the event that the licensing authority has reasonable cause to believe that an alarm business does not have a valid alarm business license as required by this Chapter, or that a person is engaged in the alarm business without a valid alarm business license, the licensing authority, with the assistance of the Police Department, shall issue a warning to the alarm business stating that it is in violation of the provisions of this Chapter. The warning shall direct the alarm business to apply for an alarm business license within ten (10) calendar days of the date of the warning. The alarm business receiving such a notice shall not engage in the alarm business until an alarm business license is issued pursuant to this Chapter.

(a.) The required fees for an alarm license issued after notice under this subsection (c) shall include all fees required by section XX above, including all past due fees. Past due fees means all fees and charges that would have been

required to be paid by the applicant if a license had been properly applied for and issued for the period of time that the applicant was unlicensed.

(b.) An unlicensed alarm business that fails to apply for a license within the time period provided in this subsection and/or continues to engage in, conduct, or carry on the business of an alarm business without a license shall be in violation of this section and subject to its penalty provisions.

24-31. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The city council of the City of Chandler declares that it would have adopted this Chapter and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions may be declared invalid or unconstitutional.